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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FINJAN LLC,

Plaintiff,

v.

PALO ALTO NETWORKS, INC.,

Defendant.

Case No. 3:14-CV-04908-JD

**DECLARATION OF MICHAEL J.
DESTEFANO IN SUPPORT OF
PAN'S MOTION FOR LEAVE TO
AMEND ITS INVALIDITY
CONTENTIONS**

Date: February 3, 2022
Time: 10:00 a.m.
Courtroom: 11, 19th Floor
Judge: Honorable James Donato

1 I, Michael J. DeStefano, hereby declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration and, if called as
3 a witness, could and would testify competently thereto. I am submitting this declaration in
4 support of Defendant Palo Alto Networks, Inc.'s ("PAN") motion for leave to amend its
5 invalidity contentions.

6 2. I am an Associate at the law firm of Morrison & Foerster LLP. I am counsel for
7 PAN in this litigation.

8 3. Attached hereto as **Exhibit 1** is an excerpt of a true and correct copy of PAN's
9 First Set of Request for Production of Documents and Things to Finjan, Inc. [now known as
10 Finjan LLC (hereinafter "Finjan")] (Nos. 1-86), served on January 23, 2015. The relevant
11 requests are Nos. 1, 2, 26-32, 38-41, 85 and 86.

12 4. Attached hereto as **Exhibit 2** is an excerpt of a true and correct copy of PAN's
13 First Set of Interrogatories to Finjan, served on January 23, 2015. The relevant interrogatories are
14 Nos. 1 and 2.

15 5. Attached hereto as **Exhibit 3** is a true and correct copy of a letter from Eric Lin,
16 counsel for PAN, to Jared Smith, counsel for Finjan, dated April 15, 2021.

17 6. Attached hereto as **Exhibit 4** is a true and correct copy of a letter from Eric Lin,
18 counsel for PAN, to Phillip Goter, counsel for Finjan, dated May 12, 2021 that has been redacted
19 of confidential information that is not relevant to this motion.

20 7. Attached hereto as **Exhibit 5** is a true and correct copy of a letter from Phillip
21 Goter, counsel for Finjan, to Diek Van Nort, counsel for PAN, dated April 23, 2021.

22 8. Attached hereto as **Exhibit 6** is a true and correct copy of PAN's Invalidity
23 Contentions and Related Disclosures Pursuant to Patent Local Rules 3-3 and 3-4, served to Finjan
24 on May 17, 2021.

25 9. Attached hereto as **Exhibit 7** is a true and correct copy of correspondence between
26 Jared Smith, counsel for Finjan, and Diek Van Nort, counsel for PAN, from May 28, 2021 to June
27 13, 2021.

10. Attached hereto as **Exhibit 8** is a true and correct copy of PAN's Supplemental Invalidity Contentions and Related Disclosures Pursuant to Patent Local Rules 3-3 and 3-4, served to Finjan on July 6, 2021.

11. Attached hereto as **Exhibit 9** is a true and correct copy of a letter from Phillip Goter counsel for Finjan, to Diek Van Nort, counsel for PAN, dated July 15, 2021.

12. Attached hereto as **Exhibit 10** is a true and correct copy of the October 6, 2021 Certificate of Service related to PAN's Supplemental Invalidity Claim Charts D-2, D-8, D-9, D-19, D-20, E-1 to E-5, F-1, F-3 to F-10, G-1 to G-4, G-6 and G-9 to G-11.

13. Attached hereto as **Exhibit 11** is a true and correct copy of correspondence from me to counsel for Finjan, dated October 6, 2021.

14. Attached hereto as **Exhibit 12** is a true and correct copy of a letter from Eric Lin, counsel for PAN, to Phillip Goter, counsel for Finjan, dated August 11, 2021.

15. Attached hereto as **Exhibit 13** is a true and correct copy of a letter from Jared Smith, counsel for Finjan, to Diek Van Nort, counsel for PAN, dated August 13, 2021.

16. Attached hereto as **Exhibit 14** is a true and correct copy of a letter from me to Phillip Goter, counsel for Finjan, dated August 27, 2021.

17. Attached hereto as **Exhibit 15** is a true and correct copy of a letter from Phillip Goter, counsel for Finjan, to Eric Lin, counsel for PAN, dated August 27, 2021.

18. Attached hereto as **Exhibit 16** is a true and correct copy of a letter from me to Phillip Goter, counsel for Finjan, dated September 2, 2021.

19. Attached hereto as **Exhibit 17** is a true and correct copy of a letter from Phillip Goter, counsel for Finjan, to me, dated September 15, 2021.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of December 2021, in New York, New York.

/s/ Michael J. DeStefano
Michael J. DeStefano

ATTESTATION OF E-FILED SIGNATURE

I, Diek O. Van Nort, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Michael J. DeStefano has concurred in this filing.

Dated: December 30, 2021

/s/ Diek O. Van Nort

Diek O. Van Nort